

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Elizabeth Salazar et al., individually and on
behalf of all others similarly situated,

Plaintiffs,

- against -

The Procter & Gamble Company,

Defendant

Case No. 1:22-cv-05036

Hon. M. David Weisman

JOINT STATUS REPORT

The parties submit the following Joint Status Report pursuant to the Court's April 22, 2024 Minute Entry. ECF No. 50.

I. The May 31, 2024 Status Hearing

In light of the developments reported below, including the stipulated dismissal of this case, the parties do not believe a status hearing is necessary.

II. Non-Participation of Current Plaintiffs

Plaintiffs' counsel has advised that the Plaintiffs Salazar and Fletcher do not wish to continue as named plaintiffs in this action. For that reason, their contemplated depositions have not occurred and neither of them provided certain supplemental responses to written discovery that counsel for Defendant was seeking prior to the depositions. Plaintiffs' counsel has indicated the existence of a new plaintiff, and a new complaint was filed on May 28, 2024, styled *Christy Borovoy v. The Procter & Gamble Company*, 1:24-cv-04366 (N.D. Ill). Plaintiff Borovoy indicated on the civil cover sheet that this new complaint is related to this matter. Defendant's position is that because allegations of the new plaintiff are qualitatively different than the current complaint, and because Plaintiffs Salazar and Fletcher were themselves replacements for the original plaintiff

who already declined to proceed with the case, dismissal of this case is appropriate and any claims of the new plaintiff should proceed in a new complaint. Based on Defendant's position, Plaintiffs Salazar and Fletcher agree to voluntarily dismiss their case without prejudice, and the parties intend to file a stipulation of dismissal under Fed. R. Civ. 41 (1)(A)(ii). The parties also anticipate entering into a stipulation in the *Borovoy* case that, without prejudice to any other substantive or procedural right, discovery produced to date by Defendant in this case will be deemed produced in the *Borovoy* case.

III. Status of Depositions

No depositions of Plaintiffs were scheduled or occurred. Defendant responded to the Rule 30(b)(6) notice to Defendant on May 24, 2024 with respect to individual topics but also objected generally that no deposition of Defendant should take place unless and until there is an active plaintiff asserting claims and P&G has had the opportunity to conduct written discovery and a deposition regarding that plaintiff's allegations. Based on the intended dismissal of this case, the parties will confer regarding a schedule in the *Borovoy* case, including in accordance with any case management orders in that case.

Dated: May 29, 2024

/s/Scott A. Kane

Scott A. Kane
Squire Patton Boggs (US) LLP
201 E 4th St Ste 1900
Cincinnati OH 45202
Tel: (513) 361-1200
scott.kane@squirepb.com

Respectfully submitted,

/s/ Sue J. Nam

Sue J. Nam
Kate J. Stoia
Michael R. Reese
Reese LLP
100 W 93rd St Fl 16
New York New York 10025
Tel: (212) 643-0500
snam@reesellp.com
kstoia@reesellp.com
mreese@reesellp.com

Adam R. Fox
Squire Patton Boggs (US) LLP
555 S Flower St 31st Fl
Los Angeles CA 90071
Tel: (213) 624-2500
adam.fox@squirepb.com

Spencer Sheehan
Sheehan & Associates, P.C.
60 Cuttermill Rd Ste 412
Great Neck NY 11021
Tel: (516) 268-7080
spencer@spencersheehan.com

P. Russell Perdew
Locke Lord LLP
111 S Wacker Dr
Chicago IL 60606
Tel: (312) 443-1712
rperdew@lockelord.com

*Attorneys for Defendant
The Procter & Gamble Company*

James Chung
Chung Law Firm P.C.
43-22 216th St
Bayside NY 11361
Tel: (718) 461-8808
jchungz77@msn.com

Attorneys for Plaintiff